

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIRST DAY OF JULY,
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 21519 of 1994

Between:

- 1 Garikapati Subba Rao S/o.Govindu
R/o.Matsavaripulaboinapalli Charla Mandalam
Khammam Dist
- 2 Garikapati Prasad S/o.Subba Rao
R/o.Matsavaripulaboinapalli Charla Mandalam
Khammam Dist
- 3 Garikapati Rama Rao S/o.Subba Rao
R/o.Matsavaripulaboinapalli Charla Mandalam
Khammam Dist
- 4 Garikapati Satyanarayana S/o.Subba Rao
R/o.Matsavaripulaboinapalli Charla Mandalam
Khammam Dist

..... PETITIONERS

AND

- 1 The Dist Collector, Khammam Dist.
- 2 The Sub-Collector, Badrachalam, Khammam Dist.
- 3 The Mandal Revenue Officer, Charla Mandalam Khammam Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus directing the respondents not to interfere with the possession of petitioners in respect of lands admeasuring H.1.02A (Ac.255 Cents) in S.No.25/2, belonging to first petitioner, H.0.42A (Ac.1.05 Cents) in S.No.25/3, belonging to second petitioner, H.0.49A (Ac.1.23 Cents) in S.No.38/2, belonging to third petitioner, H.0.49A (Ac.1.23 Cents) in S.No.38/2, belonging to fourth petitioner, situate at Gommupulaboinapalli Village, Charla Mandalam, Khammam Dist.

For the Petitioner: MR.K.MANIKYALA RAO, Advocate.

For the Respondent Nos. 1 to 3: G.P. for Revenue.

The Court made the following order:

Heard both sides.

The only grievance of the petitioners is against the impugned action on the part of the respondents in dispossessing the petitioners from their respective lands situated at Gommupulaboinapalli Village, Charla Mandal, Khammam District. The case of the

petitioners is that even though they have been in possession of their lands in their own right, the respondents are trying to dispossess them without giving any notice and without following due process of law.

This Court has granted interim direction in W.P.M.P.No.26720 of 1994, dated 08.12.1994, and the same is still subsisting. Having regard to the same, it is not necessary to go into the merits of the case and it would suffice in the interest of justice to direct the respondents herein not to dispossess the petitioners as long as proper notices and steps are taken under due process of law.

Accordingly, the writ petition is disposed of. No order as to costs.

ASSISTANT REGISTRAR

1st July, 2004

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SECTION OFFICER

Copy to:

- 1 The Dist Collector, Khammam Dist.
- 2 The Sub-Collector, Badrachalam, Khammam Dist.
- 3 The Mandal Revenue Officer, Charla Mandalam Khammam Dist.
- 4 Two CCs to the Government Pleader for Revenue, High Court Building,
Hyderabad. (OUT).
- 5 Two C.D. Copies.

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